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PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			IQBAL, KHAWAR	
		ART UNIT		PAPER NUMBER
				2688

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/881,452	HARMA, ESA	
	<b>Examiner</b>	<b>Art Unit</b>	
	Khawar Iqbal	2688	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 September 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-44 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 37-44 are rejected under 35 U.S.C. 102(e) as being unpatentable by Meyers et al (20040102249).

3. Regarding claim 37 Meyers et al teaches a method for distributing recreational application within a group of terminal arrangements, where the group comprises at least two terminal arrangements and each terminal arrangement comprises a terminal of a wireless network system, the method comprising (figs. 1-3):

transmitting from first terminal arrangement to a second terminal arrangement proposal for setting up a session of utilising a recreational application and only after the second terminal arrangement has received said proposal (Para. # 0008,0019,0024,0026), using the communicational capabilities of at least one of the first and second terminal arrangements to establish state where both the first terminal arrangement and the second terminal arrangement possess enough software components to; upon the receipt an enabling token (Para. # 0008,0019,0024,0026), execute software of said recreational application, said software being available execution the first terminal

arrangement and the second terminal arrangement, for setting up common, shared session utilising said recreational application (Para. # 0008,0019,0024,0026).

Regarding claim 38 Meyers et al teaches a terminal arrangement comprising wireless network system, comprising (figs. 1-3):  
means for exchanging proposals for setting up sessions utilising recreational application with other terminal arrangements and terminal a means been exchanged by establish a state where responding situation where such proposals have its communicational capabilities another terminal arrangement possess enough resident software components of said recreational application for execution the terminal arrangement and another terminal arrangement, upon the receipt of an enablement token, for setting up common, shared session and executing said recreational application (Para. # 0008,0019,0024,0026).

Regarding claim 39 Meyers et al teaches a terminal system comprising first terminal arrangement and a second terminal arrangement, comprising (figs. 1-3)  
- in each said first and second terminal arrangements means for exchanging proposals for setting up sessions utilising recreational application with other terminal arrangements (Para. # 0008,0019,0024,0026) and  
- in each said first and second terminal arrangements means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminal arrangements to establish state where both said first and second terminal arrangements possess enough resident executable software components said recreational application setting up a common, shared

session for executing said recreational application on said first and second terminal arrangements (Para. # 0008,0019,0024,0026).

Regarding claim 40 Meyers et al teaches a terminal system comprising first terminal arrangement and a second terminal arrangement, comprising

- in each of said first and second terminal arrangements means exchanging proposals setting up sessions of utilising recreational application with other terminal arrangements (Para. # 0008,0019,0024,0026) and
- in each of said first and second terminal arrangements means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminal arrangements establish a state where both of said first and second terminal arrangements possess enough software components enable resident executable software of said recreational application for setting up a common, shared session executing said recreational application said first and second terminal arrangements (Para. # 0008,0019,0024,0026).

Regarding claim 41 Meyers et al teaches a communications system for distributing a recreational application within group terminal arrangements, comprising (figs. 1-3):

first terminal arrangement, second terminal arrangement and a recreational application server (Para. # 0008,0019,0024,0026),

- in each said first and second terminal arrangements means for exchanging proposals setting up sessions of utilising recreational application with other terminal arrangements (Para. # 0008,0019,0024,0026) and

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- in each of said first and second terminal arrangements and said recreational application server means for responding to a situation where such proposals have been exchanged by using communicational capabilities first and second terminal arrangements and said recreational application server establish state where both of said first and second terminal arrangements possess resident executable software components of said recreational application for setting up a common (Para. # 0008,0019,0024,0026), shared session for executing said recreational application on said first and second terminal arrangements (Para. # 0008,0019,0024,0026).

Regarding claim 42 Meyers et al teaches communications system distributing a recreational application within group of terminal arrangements, comprising (figs. 1-3) first terminal arrangement, a second terminal arrangement and a recreational application server (Para. # 0008,0019,0024,0026), each of said first and second terminal arrangements means exchanging proposals for setting up sessions utilising recreational application with other terminal arrangements and each of said first and second terminal arrangements and said recreational application server means for responding to a situation where such proposals have been exchanged by using communicational capabilities the first and second terminal arrangements (Para. # 0008,0019,0024,0026)and said recreational application server to establish a state where both of said first and second terminal arrangements possess resident software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminal arrangements (Para. # 0008,0019,0024,0026).

Regarding claim 43 Meyers et al teaches a computer program product computer a terminal a wireless network system causing transmit from first terminal arrangement to a second terminal arrangement a proposal for setting up session of utilising recreational application and only after the second terminal arrangement has received said proposal, using communicational capabilities first terminal arrangement to establish state where both the first terminal arrangement and the second terminal arrangement possess resident executable software components of said recreational application for setting up a common, shared session executing said recreational application said first and second terminal arrangements (Para. # 0008,0019,0024,0026).

Regarding claim 44 Meyers et al teaches a computer program product which, upon execution computer of terminal of a wireless network system, produces transmitting from first terminal arrangement to a second terminal arrangement proposal for setting up a session of utilising a recreational application and only after the second terminal arrangement has received said proposal (Para. # 0008,0019,0024,0026), using communicational capabilities first terminal arrangement establish state where both the first terminal arrangement the second terminal arrangement possess resident software components of said recreational application for setting up common, shared session for executing said recreational application on said first and second terminal arrangements (Para. # 0008,0019,0024,0026).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansted (20020006826) and further in view of Meyers et al (20040102249).

6. Regarding claim 1 Hansted teaches a method for distributing a recreational application within a group of terminal arrangements, where the group comprises at least two terminal arrangements and each terminal arrangement comprises a terminal of a cellular radio system, the method comprising the steps of (fig. 1):

transmitting from a first terminal (User # 1) arrangement to a second terminal (User # 2) arrangement a proposal for setting up a session of utilising a recreational application and only after the second terminal arrangement has received said proposal (paragraphs # 0099-0102), using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for setting up a common, shared session executable on said first and second terminals of utilising said recreational application (paragraphs # 0095, 0099-0101, 0145-0156). Hansted teaches a central data processing unit receives information relating to desired starting time of a game, from each player, through the mobile communication units. The processing unit compares the received information and

informs the respective players to start the game, when the information is in accord. Hansted does not specifically state executing said recreational application on said first and second terminal.

In an analogous art, Meyers et al teaches executing said recreational application on said first and second terminal (Para. # 0008,0024,0026, figs 1-3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Hansted teaches by specifically adding features using executing recreational application enables to pass virtual ball in between mobile terminals using the apparatus included in the mobile terminal taught by Meyers et al.

As to claims 37-44 these are considered the claims rejected for the same reason as set forth in claim 1.

Regarding claim 2 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (paragraphs # 0100, 0128), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common (paragraphs # 0095,0131, 0077-0082), shared session of utilising one of said proposed recreational applications and as a response to receiving said request in said first terminal arrangement, transmitting said software component from the first terminal arrangement to the second terminal arrangement (paragraphs # 0095, 0099-0101, see claim 1).

Regarding claim 3 Hansted teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, is

only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (paragraphs # 0095, 0099-0101, see claim 1).

Regarding claim 4 Hansted teaches comprises the sub step of transmitting said software component from the first terminal arrangement to the second terminal arrangement through a local communication link (fig. 1, paragraphs # 0060-0063, see claim 1).

Regarding claim 5 Hansted teaches comprises the sub step of transmitting said software component from the first terminal arrangement to the second terminal arrangement through the cellular radio system (fig. 1, paragraphs # 0063, see claim 1).

Regarding claim 6 Hansted teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component (paragraphs # 0130-0134), indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (paragraphs # 0095-0096, 0100-0101, see claim 1).

Regarding claim 7 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (paragraphs # 0100-0101), transmitting from the second terminal arrangement to a recreational application server a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications (paragraphs # 0100-0101), and as a response to receiving said request in said recreational application server,

transmitting said software component from said recreational application server to the second terminal arrangement (paragraphs # 0095-0096, 0100-0101, see claim 1).

Regarding claim 8 Hansted teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (paragraphs # 0100-0101, see claim 1).

Regarding claim 9 Hansted teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component (paragraphs # 0095-0096, 0100-0101) and, indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (paragraphs # 0100-0101, 0166, see claim 1).

Regarding claim 10 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (paragraphs # 0100-0101, 0094-0095), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications, as a response to receiving said request in said first terminal arrangement (paragraphs # 0100-0101, 0094-0095, see claim 1), transmitting a network address of a recreational application server from the first terminal arrangement to the second terminal arrangement, transmitting from the second terminal arrangement to said recreational application server a request for

obtaining a software component necessary for setting up a common (paragraphs # 0094-0095), shared session of utilising one of said proposed recreational applications and as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal arrangement (paragraphs # 0094-0095, 0100-0101, see claim 1).

Regarding claim 11 Hansted teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (paragraphs # 0094-0095, 0100-0101, see claim 1).

Regarding claim 12 Hansted teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement (paragraphs # 0130-0134) indicating the reception of said software component and, indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (paragraphs # 0094-0095, 0100-0101, 0128).

Regarding claim 13 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (paragraphs # 0100-0101, 0130-0134), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications, as a response to receiving said request in said first terminal arrangement (paragraphs # 0094-0095, 0100-0101, 0128),

transmitting from the first terminal arrangement to a recreational application server a request for downloading into the second terminal arrangement a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and (paragraphs # 0094-0095, 0100-0101, 0128) as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal arrangement (paragraphs # 0094-0095, 0100-0101, 0128, see claim 1).

Regarding claim 15 Hansted teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (paragraphs # 0094-0095, 0100-0101, 0128).

Regarding claim 16 Hansted teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (paragraphs # 0094-0095, 0100-0101, 0128, 0132, see claim 1).

Regarding claim 17 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (paragraphs # 0094-0095, 0100-0101, 0128, 0132), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common,

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shared session of utilising one of said proposed recreational applications, as a response to receiving said request in said first terminal arrangement, transmitting from the first terminal arrangement to a recreational application server a request for downloading into the first terminal arrangement a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications (paragraphs # 0094-0095, 0100-0101, 0128, 0132), as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the first terminal arrangement and as a response to receiving said software component, transmitting from the first terminal arrangement to the second terminal arrangement a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications (paragraphs # 0100-0109, 0012-0014, 0077-0082, 0166-0175, see claim 1).

Regarding claim 18 Hansted teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (paragraphs # 0094-0095, 0100-0101, 0128, 0132, see claim 1).

Regarding claim 18 Hansted teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and, indicating to the users of the first and

second terminal arrangements the readiness of utilising the recreational application (paragraphs # 0094-0095, 0100-0101, 0128, 0132, see claim 1).

Regarding claim 19 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications, transmitting from the second terminal arrangement to the first terminal arrangement a first acknowledgement indicating agreement to set up a common, shared session of utilising one of said proposed recreational applications (paragraphs # 0094-0095, 0100-0101, 0128, 0132), transmitting from the first terminal arrangement to a recreational application server a first request for obtaining a software component necessary for setting up a common (paragraphs # 0100-0109, 0012-0014, 0077-0082, 0166-0175), shared session of utilising said one of said proposed recreational applications, transmitting from the second terminal arrangement to a recreational application server a second request for obtaining a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications, as a response to receiving said first request in said recreational application server, transmitting the requested software component from said recreational application server to the first terminal arrangement (paragraphs # 0094-0095, 0100-0101, 0128, 0132), as a response to receiving said second request in said recreational application server, transmitting the requested software component from said recreational application server to the second terminal arrangement and exchanging a pair of messages between the first and second

terminal arrangements indicating the readiness of utilising the recreational application (paragraphs # 0094-0095, 0100-0101, 0128, 0132, see claim 1).

Regarding claim 20 Hansted teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (paragraphs # 0094-0095, 0100-0101, 0128, 0132, see claim 1).

Regarding claim 21 Hansted teaches the step of indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (paragraphs # 0094-0095, 0100-0101, 0128, 0132, see claim 1).

Regarding claim 22 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal for setting up a common, shared session of utilising a recreational application (paragraphs # 0094-0095, 0100-0101, 0128, 0132), transmitting from the second terminal arrangement to the first terminal arrangement a proposal identifying a number of proposed recreational applications, transmitting from the first terminal arrangement to the second terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and as a response to receiving said request in said second terminal arrangement, transmitting said software component from the second terminal arrangement to the first terminal arrangement (paragraphs # 0094-0095, 0100-0101, 0128, 0132, see claim 1).

Regarding claim 23 Hansted teaches the step of presenting said number of proposed recreational applications to the user of the first terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (paragraphs # 0100-0109, 0012-0014, 0077-0082, 0166-0175, see claim 1).

Regarding claim 24 Hansted teaches indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (paragraphs # 0100-0109, 0012-0014, 0077-0082, 0166-0175, see claim 1).

Regarding claim 25 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a complete copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application (paragraphs # 0100-0109, 0012-0014, 0077-0082, 0166-0175, see claim 1).

Regarding claim 26 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a limited copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application, said limited copy being only usable for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question (paragraphs # 0094-0095, 0100-0101, 0128, 0132, see claim 1).

Regarding claims 27,34,35 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement a more advanced copy of those

software components which the first terminal uses for setting up a common, shared session of utilising said recreational application (paragraphs # 0094-0095, 0100-0101, 0128, 0132, see claim 1).

Regarding claim 28 Hansted teaches transmitting from the first terminal arrangement to the second terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application, forwarding said authenticated offer from the second terminal arrangement to a recreational application server (paragraphs # 0094-0095, 0100-0101, 0128, 0132), and transmitting from said recreational application server to the second terminal arrangement a limited copy of software components needed for setting up a common, shared session of utilising said recreational application, said limited copy being only usable for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question (paragraphs # 0094-0095, 0100-0101, 0128, 0132, see claim 1).

Regarding claim 29 Hansted teaches imposing a charge to the user of the first terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular second terminal arrangement in question (paragraphs # 0094-0095, 0100-0101, 0128, 0132, see claim 1).

Regarding claim 30 Hansted teaches transmitting from the second terminal arrangement to the first terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application, forwarding said authenticated offer from the first terminal arrangement to a recreational application

server, and transmitting from said recreational application server to the second terminal arrangement a copy of software components needed for setting up a common, shared session of utilising said recreational application (paragraphs # 0100-0109, 0012-0014, 0077-0082, 0166-0175, see claim 1).

Regarding claim 31 Hansted teaches imposing a charge to the user of the second terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question (paragraphs # 0094-0095, 0100-0101, 0128, 0132, see claim 1).

Regarding claim 32 Hansted teaches transmitting from the second terminal arrangement to the first terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application, forwarding said authenticated offer from the first terminal arrangement to a recreational application server together with another authenticated offer from the first terminal arrangement for setting up a common, shared session of utilising said recreational application (paragraphs # 0065,0071), and transmitting from said recreational application server to the terminal arrangements copies of software components needed for setting up a common, shared session of utilising said recreational application (paragraphs # 0094-0095, 0100-0101, 0128, 0132, see claim 1).

Regarding claim 33 Hansted teaches imposing charges both to the user of the second terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question and to the user of the first terminal arrangement for setting up a common,

shared session of utilising said recreational application together with the particular second terminal arrangement in question (paragraphs # 0094-0095, 0100-0101, 0128, 0132, see claim 1).

Regarding claim 36 Hansted teaches a terminal arrangement comprising (fig. 1) a terminal of a cellular radio system, comprising means for exchanging proposals for setting up sessions of utilising a recreational application with other terminal arrangements (paragraphs # 0094-0095, 0100-0101) and means for responding to a situation where such proposals have been exchanged by using its communicational capabilities to establish a state where both it and another terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application (paragraphs # 0094-0095, 0100-0101, 0145-0156). Hansted teaches a central data processing unit receives information relating to desired starting time of a game, from each player, through the mobile communication units. The processing unit compares the received information and informs the respective players to start the game, when the information is in accord. Hansted does not specifically teach executing said recreational application on said first and second terminal.

In an analogous art, Meyers et al teaches executing said recreational application on said first and second terminal (Para. # 0008,0024,0026, figs 1-3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Hansted teaches by specifically adding features using executing recreational application enables to pass virtual ball in between mobile terminals using the apparatus included in the mobile terminal taught by Meyers et al.

### ***Response to Arguments***

Applicant's arguments filed 9-12-05 have been fully considered but they are not persuasive. Examiner has thoroughly reviewed applicant's arguments but firmly believes the cited reference to reasonably and properly meets the claimed limitations. Applicant's argument was that "Meyers does not disclose transmitting or receiving a proposal". In response, examiner would like to point out that examiner interprets, Meyers teaches Signal including virtual ball (proposal) is transmitted from mobile terminal (12-1) to mobile terminal (12-2). Signal indicating that the virtual ball is caught (proposal accept), is transmitted from terminal (12-2) to terminal (12-1). Signal including activation code is transmitted from terminal (12-1) to terminal (12-2). Signal acknowledging the receipt of activation code is transmitted to terminal (12-1) and virtual ball is activated using activation code (para. 0008, 0026, fig. 2).

Hansted teaches a system for a plurality of persons playing a game, a central data processing unit, a portable communication unit for each person or group of persons, each communication unit being adapted to receive game information and transmit this information to the central data processing unit, the central data processing unit being adapted to, for each of a number of events of the game receive and process game information from the portable units, determine one or more possible subsequent/next event(s) of the game and which person or persons may perform this/these events, provide user interface data relating to this/these event(s), and transmit, to at least one portable unit of the person or persons information relating to the possible next events, the user information enabling this/those portable unit(s) to:

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illustrate to the person(s) the determined next/subsequent event(s) and to receive, by a single push operation of a person, information relating to the actual next/subsequent event of the game and transmitting this game information to the central data processing unit (para. # 0101-0108).

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Khawar Iqbal whose telephone number is (571) 272-7909.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Khawar Iqbal

  
GEORGE ENG  
PRIMARY EXAMINER